

REMARKS

I. Status of Claims

After the above amendments, claims 1-10 and 12-20 are pending. Claims 1-2, 4, 7, 10, 15 and 20 are amended. Claim 11 was previously canceled without prejudice to the subject matter therein.

II. Election of Species

The August 28, 2006, Office action has requested Applicant to elect a single disclosed species for prosecution on the merits. The undersigned respectfully requests reconsideration because there is no proper basis for the request. For one, the claims have been previously examined, indeed, many of them (nos. 2-3, 6-8, 11-13, and 16-19) were considered to contain allowable subject matter in the November 23, 2005, Office action, so the time has passed for entering an election of species. For another, given that the subject matter from all of the pending claims has previously been examined, their can be no real burden for continuing prosecution and examination of these claims. Moreover, even if a basis did exist, the MPEP requires that when the burden associated with a restriction/election is small, which is the case here because the claims have been examined, each of the claims in the case must be examined.

The August 28, 2006, Office action provides no actual specific basis for requesting the election of species and it doesn't does not delineate specific figures or other groups that it considers to be within the same species. Thus, the Applicant has reviewed the application and chooses to elect figures 37-39, 41-44, 49-66 for further prosecution on the merits. The Applicant further notes that claims 1-10 and 12-20 are readable on these figures. The election is made, notwithstanding the previous traversal, in compliance with the Rules.

The Commissioner is authorized to charge any fees or credit any overpayments which may be incurred in connection with this paper under 37 C.F.R. §§ 1.16 or 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,



Fred Grasso
Reg. No. 43,644

KENYON & KENYON LLP
1500 K Street, N.W., Suite 700
Washington, D.C. 20005
Tel: (202) 220-4200
Fax: (202) 220-4201

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